

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Application Serial No. 76/212,457

Filed: February 20, 2001

For Trademark: A ALABAMA CRIMSON TIDE and Design

Published in the Official Gazette on October 26, 2004

and

In re Application Serial No. 76/976,853

Filed: February 20, 2001

For Trademark: A ALABAMA CRIMSON TIDE and Design

Published in the Official Gazette on November 9, 2004

-----X  
ATHLETICS INVESTMENT GROUP LLC, D/B/A THE  
OAKLAND ATHLETICS BASEBALL COMPANY

Opposition No. 91165229

Opposer,

v.

THE BOARD OF TRUSTEES OF THE UNIVERSITY OF  
ALABAMA,

Applicant.  
-----X

Trademark Trial and Appeal Board  
Commissioner of Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

**STIPULATED MOTION TO SUSPEND ALL PROCEEDINGS**

Opposer, Athletics Investment Group LLC, d/b/a the Oakland Athletics Baseball Company, with the consent of Applicant, The Board of Trustees of The University of Alabama, hereby requests a further six (6) month suspension of all proceedings in the above-captioned opposition action.

The parties have been discussing a possible settlement of this matter that will eliminate the need to proceed with the opposition. Counsel for the parties have been working on written settlement

Opposition to Serial Nos. 76/212,457 and 76/976,853  
Opposition No. 91165229  
Docket No. 52933-24003.35

05-04-6006

terms and have scheduled a teleconference on June 6, 2006 to discuss the terms of the possible settlement of this matter. The proposed resolution is a complicated matter, involving multiple trademarks of the parties. Counsel for Applicant, David Kera, agreed to this suspension in a telephone call with the undersigned on May 2, 2006. This request is being submitted as required by TBMP 509.02. A copy of this consented motion is being served on counsel.

Dated: May 3, 2006

MORRISON & FOERSTER LLP

By: 

Rosemary S. Tarlton  
Attorney for Opposer

Morrison & Foerster LLP  
425 Market Street  
San Francisco, CA 94105  
Telephone: (415) 268-6810

Opposition to Serial Nos. 76/212,457 and 76/976,853  
Opposition No. 91165229  
Docket No. 52933-24003.35

## PROOF OF SERVICE BY MAIL

I am employed with the law firm of Morrison & Foerster LLP, whose address is 425 Market Street, San Francisco, California, 94105; I am not a party to the within cause; I am over the age of eighteen years and I am readily familiar with Morrison & Foerster's practice for collection and processing of correspondence for mailing with the United States Postal Service and know that in the ordinary course of Morrison & Foerster's business practice the document described below will be deposited with the United States Postal Service on the same date that it is placed at Morrison & Foerster with postage thereon fully prepaid for collection and mailing.

I further declare that on May 4, 2006, I served a copy of:

### STIPULATED MOTION TO SUSPEND ALL PROCEEDINGS

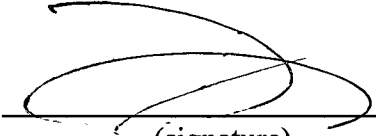
on the following by placing a true copy thereof enclosed in a sealed envelope addressed as follows for collection and mailing at Morrison & Foerster LLP, 425 Market Street, San Francisco, California, 94105, in accordance with Morrison & Foerster's ordinary business practices:

David J. Kera, Esq.  
Oblon, Spivak, McClelland, Maier & Neustadt,  
P.C.  
1940 Duke Street  
Alexandria, VA 22314-3454

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed at San Francisco, California, this 4th day of May, 2006.

\_\_\_\_\_  
Dennis Labaria  
(typed)

\_\_\_\_\_  
  
(signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

-----X  
ATHLETICS INVESTMENT GROUP LLC, D/B/A  
THE OAKLAND ATHLETICS BASEBALL  
COMPANY

Opposition No.: 91165229

Opposer,

v.

THE BOARD OF TRUSTEES OF THE UNIVERSITY  
OF ALABAMA,

Applicant.

-----X

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

Trademark Trial and Appeal Board  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Dear Commissioner:

Express Mail Label No.: EV782261675US

Date of Deposit: May 4, 2006

I hereby certify that the attached Stipulated Motion to Suspend All Proceedings; Proof of Service by First Class Mail and receipt verification postcard are being deposited with the United States Postal Service Express Mail delivery as "Express Mail Post Office to Addressee" service under 37 C.F.R § 1.10 on the date indicated above, and is addressed to: Trademark Trial and Appeal Board, Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

Respectfully submitted,

By: \_\_\_\_\_

Jerome Lewis